# THE MADRAS LEGISLATIVE COUNCIL.

**Wednesday, the 26th January 1949.**

The House met in the Council Chamber, Fort St. George, at three of the clock, Mr. President (THE HON. SRI R. B. RAMAKRISHNA RAJU) in the Chair.

## I.—QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

*Appointment of Tahsildars and Collectors.*

a * 185 *Q*.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Land Revenue be pleased to state—

(*a*) the procedure followed in regard to selection of Deputy Tahsildars, Tahsildars and Deputy Collectors;

(*b*) whether appeals against orders of authorities competent to make the selection are provided, and if so, to whom;

(*c*) whether there have been instances when directions have been issued by the Government to competent authorities in regard to selection of certain individuals; and

(*d*) whether rules governing selection have been altered recently?

THE HON. DR. T. S. S. RAJAN (on behalf of the Hon. Sri Kala Venkata Rao) :—" (*a*) *Deputy Tahsildars*.—Appointment to this category is by recruitment (i) by transfer from the members of the Madras Secretariat Service, or (ii) from the members of the Madras Ministerial Service employed in the Revenue Department including the office of the Board of Revenue and the Revenue Settlement Parties. A list of approved candidates for recruitment as Deputy Tahsildars from the members of the Madras Secretariat Service and from members of the Madras Ministerial Service employed in the offices of the Board of Revenue and the Collector of Madras is prepared by the Board of Revenue for the Province as a whole and candidates therefrom are allotted by the Board of Revenue to particular districts in accordance with the rules. For other districts, lists of approved candidates are prepared by the Board of Revenue separately for each district. The lists are prepared annually on a competitive basis from amongst the candidates of the particular unit concerned, possessing the required qualifications.

*Tahsildars*.—Appointment to this category is (i) by promotion from Deputy Tahsildars, or (ii) by recruitment by transfer from among persons who have served for a period of not less than two years on duty as Superintendents in the Secretariat or in the office of the Board of Revenue. Such appointments

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a Question from the list of 22nd January 1949.

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are made only on grounds of merit and ability; seniority is considered in addition, only where merit and ability are approximately equal. A list of approved candidates for such appointment from category (i) is prepared by the Board of Revenue separately for each district. Candidates selected from category (ii) are allotted by the Board to particular districts in accordance with rules.

*Deputy Collectors.*—(1) Appointments are made partly (i) by direct recruitment and partly (ii) by promotion from the grade of Tahsildars.

(2) The Government inform the Commission every year, the number of candidates to be recruited directly and the communities to which they should belong. The Commission holds a competitive examination, selects the required number of candidates and informs the Government giving particulars of the selected candidates. The Government, if they approve of the selection, appoint the candidates and post them for training in the districts in consultation with the Board of Revenue.

As regards category (2), every year, according to a programme of dates, the Board calls for proposals from the Collectors for inclusion of Tahsildars in the Deputy Collectors' approved list. The Board examines them and makes its own recommendations. It classifies the candidates into three categories, viz. :—

(1) Those fit for inclusion in the list,

(2) those not yet fit for inclusion but who may continue to be reported on, and

(3) those unfit for inclusion and who need not be reported on further.

The Board submits its proposals to the Government through the Madras Public Service Commission. On receipt of the proposals with the remarks of the Commission, the Government examine them and make final selections.

"(*b*) The posts of Deputy Tahsildars and Tahsildars are selection categories and appointments thereto are made on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal. As such, no person can of right, claim appointment to these posts. Non-selection to the posts of Deputy Tahsildars and Tahsildars is not a punishment and hence no right of appeal has been provided for under the rules. However, occasionally petitions received from persons who appear, *prima facie* to have been aggrieved by the Board's selections, are duly examined by the Government and appropriate orders passed. The Government, it may be added, do not ordinarily interfere with the decisions of the Board.

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Selection for appointment, as Deputy Collector is made on grounds of merit and ability and there is no appeal against such selection.

" (c) Yes. As the authority which finally selects Deputy Collectors is the Government, the Government refer those cases, in which they consider that the Board should review their recommendations, back to them, and pass final orders on their revised proposals received through the Madras Public Service Commission. Even in the case of Deputy Tahsildars and Tahsildars, whenever the Government consider it necessary to issue directions to the Board to revise their orders, the Government gives an opportunity to the Board to adduce arguments, if any, against the proposed direction.

" (d) *Deputy Tahsildars and Tahsildars.*—During the war and up to 1st April 1948 certain concessions were given in the matter of appointment as Deputy Tahsildars and Tahsildars in view of the large number of posts in the cadre of Deputy Tahsildars and Tahsildars created in connexion with the war and the conditions resulting therefrom and also of the paucity of duly qualified and suitable candidates for appointment to those posts. But these concessions have since been withdrawn with effect from 1st April 1948 as such conditions no longer exist. The rules governing the selection to the posts of Deputy Tahsildars and Tahsildars have not been otherwise altered recently.

*Deputy Collectors.*—Yes. The attention of the hon. Member is invited to Revenue Department Notification No. 689, dated 30th July 1948, published at page 754 of Part I of the *Fort St. George Gazette*, dated 10th August 1948."

SRI R. SURYANARAYANA RAO :—" Sir, with reference to answer to (a) in regard to appointment of Deputy Tahsildars and Tahsildars, may I know if the members of the Madras Ministerial Service employed in the Revenue Department are eligible to Madras Secretariat Service also, as members of the Madras Secretariat Service are eligible for appointment as Deputy Tahsildars and Tahsildars? "

THE HON. DR. T. S. S. RAJAN :—" That is a Secretariat procedure. I don't know. I will get the information for the hon. Member and give a private answer. Or if the hon. Member wants it to be given here I shall take the next opportunity to give."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, with regard to the appointment of Deputy Collectors by direct recruitment, what is the nature of competitive examination held? "

THE HON. DR. T. S. S. RAJAN :—" It is not the commission that is setting the examination. I should like to know whether the examination is conducted by the Public Service Commission."

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SRI R. SURYANARAYANA RAO :—" May I know whether the Government have under consideration any proposal to submit lists of Deputy Tahsildars and Tahsildars also to the Public Service Commission, as they do in the case of Deputy Collectors? "

THE HON. DR. T. S. S. RAJAN :—" At present there is no such proposal."

SRI R. SURYANARAYANA RAO :—" With reference to answer (b), may I know whether Government consider that non-selection to the posts of deputy tahsildars and tahsildars and deputy collectors is not considered as punishment and those that are not selected be given an opportunity to seek redress? "

THE HON. DR. T. S. S. RAJAN :—" If it is considered as punishment I am sure, if they want, an opportunity will be given to them."

SRI R. SURYANARAYANA RAO :—" What is the remedy they have, unless the remedy of an appeal to Government is not available to them? "

THE HON. DR. T. S. S. RAJAN :—" Any time it is available to them. But when the Services Commission gets hold of the position it is the Services Commission that deals with it and not Government. When once we refer the matter to the Commission it is the Commission that will give the necessary guide in the mater."

SRI R. SURYANARAYANA RAO :—" With regard to deputy collectors, don't they occupy the same status as the I.A.S. and I.C.S. officers as far as their function is concerned; if so, is the communal rule applicable to I.A.S. officers as they are applied to deputy collectors? "

THE HON. DR. T. S. S. RAJAN :—" Whatever be the particular position they occupy, the grade is entirely different. They cannot be compared to I.A.S. or I.C.S. officers. In all cases deputy collectors are really under the control of Government, though they get selected to the post by a special period of time and by certificates necessary to make them fit to be eligible to be selected, and out of that list Government make the selection. I.A.S. and I.C.S. officers do not come under this category."

SRI R. SURYANARAYANA RAO :—" Is it not a fact, Sir, that communal rule was not applicable to deputy collectors till 30th July 1948? "

THE HON. DR. T. S. S. RAJAN :—" Communal rule has always been there for the last twenty years, though it was sometimes followed and sometimes not followed. When there was an emergency appointment to be made it was made without reference to communal rule."

[* 191 Q. was answered on 25th January 1949.]